	Case 3:07-cv-06053-ED	L Document 138	Filed 08/29/2008	Page 1 of 2	
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10					
11	UNITED STATES DISTRICT COURT				
12	NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION				
13	SAN FRANCISCO DI VISION				
14	NETWORK APPLIANC	E, INC.,	Case No. C-07-06	053 EDL	
15	Plaintiff-Countered	claim Defendant,	JOINT REPORT AGREED CONS		
16	v.		FOR DISPUTED	TERMS IN U.S.	
17				TENT NO. 6,873,630	
18					
19					
20	Pursuant to the Court's request during the Markman hearing on August 27, 2008, the				
21	parties have met and conferred regarding the disputed terms in U.S. Patent No. 6,873,630 and				
22	provide the following agreed upon constructions:				
23	pro the me tono ming agreed apon constructions.				
24	A. "Portion [of a] C	Communication'' (Clain	ns 3, 5, 12-15, 21-24,	45, 48, 50, 52-53, 73, 76)	
25	Term "Portion [of a]	Part of a data stream, wh	Agreed Construction age the part includes		
26	I	stream.		or wie dutie	
27					
28		-]	JOINT REPORT RE AGI DISPUTED TERMS	REED CONSTRUCTIONS FOR IN U.S. PATENT NO.6,873,630 DC CASE NO. C-07-06053 EDL	

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1	B. "Element [of a] Communication" "Element [of a] Portion"
2	"Elements" "Element of a Portion"
3	(Claims 3, 5, 8, 13-15, 21-23, 45-48, 50, 52, 73, 76, 79, 89, 113, 114, 116, 117)
4	Term Agreed Construction "Element [of a] A constituent part of a "portion."
5	Communication"
6	
7	Dated: August 29, 2008
8	DLA PIPER US LLP
9	Dec //Claire R. C. J. W
10	By: <u>/s/ Christine K. Corbett</u> MARK D. FOWLER
11	CLAYTON THOMPSON DAVID ALBERTI
12	CHRISTINE K. CORBETT YAKOV M. ZOLOTOREV
13	CARRIE L. WILLIAMSON
14	Attorneys for Sun Microsystems, Inc.
15	Sun Microsystems, mc.
16	Dated: August 29, 2008
17	WEIL, GOTSHAL & MANGES LLP
	By: /s/ Jill J. Ho
18	MATTHEW D. POWERS EDWARD R. REINES
19	JEFFREY G. HOMRIG JILL J. HO
20	Attorneys for
21	NetApp, Inc.
22	
23	
24	
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26	
27	
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	JOINT REPORT RE AGREED CONSTRUCTIONS FOR DISPUTED TERMS IN U.S. PATENT NO.6,873,630 USDC CASE NO. C-07-06053 EDL